



U.S. Department of Justice

*United States Attorneys
Eastern District of New York
Northern District of Georgia*

June 10, 2019

Honorable Peggy Kuo
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *United States v. UBS Securities LLC, et al.*, No. 18-CV-6369 (MKB/PK)

Dear Judge Kuo:

The United States respectfully submits this application in response to Defendants UBS Securities, LLC, UBS AG, Mortgage Asset Securitization Transactions, Inc., and UBS Real Estate Securities, Inc.'s (together "UBS") unauthorized reply filed on June 7, 2019, in furtherance of its motion to compel Executive Branch discovery (ECF #53). Pursuant to Rule V(A)(1)(f) of Your Honor's Individual Practice Rules, "submissions [on discovery motions] are limited to the movant's letter and the response letter; unauthorized replies will not be considered." UBS failed to seek leave *prior* to filing its three-page reply or to confer with the United States prior to filing. Moreover, the United States notes that this is the third time that UBS has filed a substantive reply in furtherance of a discovery motion without obtaining authorization from the Court. *See* ECF Nos. 18 and 31. Consequently, the United States respectfully requests that the Court strike UBS' unauthorized reply filed on June 7. In the event that the Court approves the filing of UBS' reply, the United States respectfully asks for authorization to respond.

The United States thanks the Court for its attention in this matter.

Respectfully submitted,

RICHARD P. DONOGHUE
United States Attorney
Eastern District of New York

BYUNG J. PAK
United States Attorney
Northern District of Georgia

/s/ _____
BONNI J. PERLIN
MICHAEL J. CASTIGLIONE
RICHARD K. HAYES
Assistant United States Attorneys
271A Cadman Plaza East
Brooklyn, NY 11201-1820
(718) 254-7000

/s/ _____
ARMEN ADZHEMYAN
AUSTIN M. HALL
Assistant United States Attorneys
Richard B. Russell Federal Building
75 Ted Turner Dr. SW, Suite 600
Atlanta, GA 30303-3309
(404) 581-6000

cc: Counsel for Defendants (via ECF)